



**COUNTY OF INYO
WATER DEPARTMENT**

October 10, 2005

Mr. Gene Coufal, Manager
Aqueduct Business Group
Los Angeles Department
of Water and Power
300 Mandich Street
Bishop, California 93514

Re: Revised Proposed Operational Plan for 2005-06 Runoff Year

Dear Mr. Coufal:

I am writing to acknowledge the timely receipt of LADWP's "Revised Proposed Operational Plan for 2005-06 Runoff Year" ("Revised Plan") on September 29. In general, the Inyo County Water Department is satisfied with the proposed operational plan for the '05-'06 run-off year. There are, however, two important points that I wanted to bring to your attention.

LAWS WELLFIELD

Concerning groundwater recharge in the Laws Wellfield, the Revised Plan states on page 2, "[B]ased on the capacity of the Upper and Lower McNally canals and operational requirements of the LA Aqueduct, spreading activity in the Laws Wellfield is planned to start on November 1, 2005. By March 31, 2006, an additional 16,294 acre-feet will be spread in the Laws areas." It also should be noted that Section II, page 5, of LADWP's "Report to the Court Pursuant to Section 2(G) of the August 9, 2005 Court Order" ("October Status Report") states, "During the month of August 2005, LADWP spread 447 acre feet of water for the recharging of groundwater levels in the Laws Wellfield. During the 2005-06 runoff year to date, LADWP spread a total of 7,582 acre feet of water in the Laws Wellfield for the recharging of groundwater levels, with 447 being spread pursuant to the Court Order."

Section 2.B. of the Court Order provides, "[D]uring the remainder of the current 2005-06 runoff year, and each runoff year thereafter until such time as the conditions are terminated by operation of this Order, the City shall supply 16,294 af of water from its aqueduct system, or from tributaries thereto, for recharging groundwater levels in the Laws Wellfield."

Identification of the Source of Water Supplied for Groundwater Recharge. Neither the Revised Plan nor the October Status Report identifies the source of the 447 acre-feet of water reported to have been spread in the Laws Wellfield. Further, the Revised Plan does not identify the source of water planned to be supplied for groundwater recharge during the remainder of this runoff year. Without this information, it is impossible to know whether the

447 acre-feet of water was supplied from the Owens River, from tributaries to the river, or from groundwater pumping in the Laws Wellfield. It is important to note that Exhibit C to the October Status Report states that 936 acre-feet of groundwater was pumped in the Laws Wellfield in August 2005. It is also important to note that the Water Department is unaware that any surface water from the Owens River was diverted into the McNally canals and spread in the Laws area during August 2005. If it is true that no water was diverted from the river into the canals in August 2005, the 447 acre-feet must have been pumped groundwater; however, neither the Revised Plan nor the October Status Report identifies whether any portion of the 447 acre-feet is pumped groundwater.

Groundwater pumped from the Laws Wellfield cannot be claimed as a source of water for recharge to the Laws Wellfield because the pumping lowers the groundwater levels in the area (which is contrary to the goal of the Court Order to recharge groundwater levels in the area), and because the Court Order requires the water to be supplied from the aqueduct system or from tributaries thereto—not from wells. Therefore, the October Status Report should identify the source of the water supplied for groundwater recharge, and the Revised Plan should identify the source of the water that is planned to be supplied for groundwater recharge during the remainder of this runoff year.

Identification of the Use of Water Supplied for Groundwater Recharge. Neither the Revised Plan nor the October Status Report identifies how the water was used to recharge the groundwater levels in the Laws Wellfield. Without this information, it is impossible to know whether the 447 acre-feet of water was conveyed through one or both of the McNally canals and released or spread, the location of any such releases and spreading, or whether it was delivered to existing irrigation and enhancement/mitigation projects (“E/M projects”) in Laws. It may only be coincidental, but Exhibit D to the October Status Report indicates that during August 2005, the McNally/Laws/Poleta Native Pasture Lands E/M Project received 333 acre-feet of water, the Laws Historic Museum E/M received 3 acre-feet, and there were 112 acre-feet of conveyance losses on the McNally Canals. These three figures total 448 acre-feet. It is unclear whether this amount is the basis of LADWP’s accounting that 447 acre-feet of water was supplied for groundwater recharge in the Laws Wellfield pursuant to the Court Order.

Section 2.C. of the Court Order provides, “[T]he City shall not reduce the amount of water that it provides for uses in the Owens Valley pursuant to Section IV.A of the Long Term Water Agreement including water for Los Angeles-owned lands in Inyo County, for Enhancement/Mitigation Projects and mitigation measures.” Clearly, the Court Order requires LADWP to continue supplying water for irrigation, E/M projects and mitigation measures. Also, the Court Order requires 16,294 acre-feet of water to be supplied to recharge the groundwater levels in the Laws Wellfield. The Water Department believes that when the two provisions of the Court Order are read together, the 16,294 acre-feet for groundwater recharge is in addition to the supply for irrigation, E/M projects and mitigation measures; therefore, water supplied to these uses cannot be credited against the 16,294 acre-feet. The Revised Plan and the October Status Report do not indicate whether any portion of the 447 acre-feet includes water supplied to these uses.

For the reasons stated, the October Status Report should identify the means of conveying the water supplied for groundwater recharge and describe how and where the water was recharged, and the Revised Plan should identify the planned means of conveying the water that will be supplied for groundwater recharge and the how and where the water is planned to be recharged during the remainder of this runoff year.

Identification of Method of Calculating the Amount of Water Supplied for Groundwater Recharge. Neither the Revised Plan nor the October Status Report identifies the method for calculating the amount of the water used to recharge the groundwater levels in the Laws Wellfield. Since the source of water for recharge in the Laws area cannot be groundwater pumped from the Laws area, the only source of water for recharge is the Owens River. Water from the Owens River is diverted into the McNally canals and released or spread from the canals into the Laws Wellfield. It is possible to divert water in the McNally canals to the Owens River. Obviously, any diversion of water to the Owens River from the McNally canals is not water used for recharge in the Laws area; however, neither the Revised Plan nor the October Status Report indicate whether any portion of the 447 acre-feet was diverted from the canals to the river.

For the reasons stated above, the Revised Plan and the October Status Report should describe how the amount of water used for groundwater recharge is (and will be) calculated, and should include the amount of any water that has been (and will be) diverted from the McNally canals to the Owens River. Further, any water diverted from the canals to the river should not be included in the amount of water reported as used for groundwater recharge.

BAIRS-GEORGES WELLFIELD

All wells in the Bairs-Georges wellfield are in off-status as of October 1, 2005. Therefore, the operational testing related to Reinhackle Spring should be discontinued and not resumed until the wells return to On-status. Please note that the referenced operational testing has never been approved by the Technical Group and cannot proceed until conditions change or the Technical Group approves on operational test that temporarily exempts Off-status wells.

Sincerely,

Phil McDowell
Interim Director

cc: Board of Supervisors
Water Commissioners
MOU Parties
Ron Juliff, Inyo County Administrator
Paul Bruce, Inyo County Counsel
Greg James, Special Legal Counsel